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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,041	03/23/2001	Cristian Demetrescu	17-14-10-14-17-31	6184

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EXAMINER

VANDERPUE, KENNETH N

ART UNIT PAPER NUMBER

2661

DATE MAILED: 07/29/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/816,041

Applicant(s)

DEMETRESCU ET AL.

Examiner

Kenneth N Vanderpuye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

Claims 5, 9, 11 are objected to because of the following informalities:

There is an additional period in each of these claims. Appropriate correction is required.

Claim 4 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 1-3. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

Claims 8, 10, 11, 12 are objected to because the mobile terminal is according to claim 7 and not claim 6. Claim 7 introduces a mobile terminal for use in a system according to claim 6. Hence claim 8 and claim 10 are improper because they claim a mobile terminal according to claim 6, but claim 6 is claiming a system, not a mobile terminal. Same problem with claims 11-12.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C.

112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the flag bits" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the first block" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "said group of bursts" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the first burst" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the remaining bits" in line 7-8. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the other bursts" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the third bit" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the third bit" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the flag bits" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the first burst" in lines 5-6. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the radio link control medium access control block" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the remaining bits" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "each mobile terminal" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "the first burst" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth N Vanderpuye whose telephone number is 703-308-7828. The examiner can normally be reached on M-F(7:30-5:00) Second Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Olms can be reached on 703-305-4703. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KENNETH VANDERPUYE
PRIMARY EXAMINER

KNV
7-24-04